

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HARBINGER F&G, LLC, : No. 12-civ-5315 (RA)
v. Plaintiff, : ECF Case
OM GROUP (UK) Limited, :
Defendant. :
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**REPLY DECLARATION OF SOK T. TEA IN SUPPORT OF
PLAINTIFF/COUNTERCLAIM DEFENDANT HARBINGER F&G, LLC'S MOTION
FOR SUMMARY JUDGMENT**

I, Sok T. Tea, hereby declare as follows:

1. I am associated with Debevoise & Plimpton LLP, counsel to Harbinger F&G LLC (“Harbinger”). I am admitted to practice law in the Southern District of New York.
2. I submit this declaration in support of Harbinger’s Motion for Summary Judgment against OM Group (UK) Limited.
3. Attached hereto are true and correct full copies or relevant excerpts as noted of the following documents:
 4. Attached as Exhibit 1 is a copy of a letter from XL Insurance to Robin Rogers of Harbinger, dated December 3, 2010, marked as Defendant’s Deposition Exhibit 174, bearing the Bates number HARB-E0150492 to HARB-E0150494.
 5. Attached as Exhibit 2 is a copy of excerpts from Transcript of Deposition of Philip Broadley taken April 29, 2013.
 6. Attached as Exhibit 3 is a copy of excerpts from Transcript of Deposition of Jean-Francois Lemay taken May 21, 2013.

7. Attached as Exhibit 4 is a copy of excerpts from Transcript of Deposition of Christopher Read taken April 10, 2013.

8. Attached as Exhibit 5 is a copy of excerpts from Transcript of Deposition of James Ritchie taken May 16, 2013.

9. Attached as Exhibit 6 is a copy of excerpts from Transcript of Deposition of Barry Ward taken April 24, 2013.

10. I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
December 6, 2013

/s/ Sok. T. Tea
Sok. T. Tea